

REMARKS

Reconsideration and allowance are respectfully requested.

Claims 1-22 are pending in the application with claims 20-22 being new.

The claims have been amended to remove reference numerals. Such amendments do not affect the scope of the claims.

Claim Objections

Claim 5 has been amended to depend from claim 4 to overcome the Examiner's objection and obviating the possible objection to claim 15.

At point 3 of the Office Action, the Examiner stated that claim 12 is objected to since it *"is written as a dependent claim but it depends from no other claims"*. It is noted that claim 12 was amended to depend from claim 8 in the preliminary amendment and the objection should be withdrawn.

In view of the above, it is believed that all of the rejections under §112 have been overcome.

Claim Rejections - 35 U.S.C. § 112

Claim 5 has been amended to depend from claim 4, as noted above.

Claim 12 depends from claim 8, as noted above.

Claim 17 has been amended to depend from claim 9, as suggested by the Examiner.

Claim 19 has been amended to depend from claim 2, as suggested by the Examiner.

In view of the above, it is believed that all of the rejections under §112 have been overcome.

Claim Rejection - 35 U.S.C. § 102

Claims 1 and 4 stand rejected under 35 U.S.C. 102(b) as being anticipated by PCT document number WO 01/85581 A1.

Applicant respectfully traverses this rejection.

Claim 1 currently requires (emphasis added):

1. A unit for feeding products in an ordered succession, comprising a conveyor unit with pockets in receipt of products from a dispensing device and extending thence along a predetermined path to a transfer station, an outfeed conveyor by which **products are directed in succession and at constant pitch** toward a user machine, and a transfer unit operating between the conveyor unit and the outfeed conveyor, wherein the **conveyor unit comprises a first belt and a second belt** placed one beside the other and set in motion by independent drive means, and the pockets are arranged in first and second groups alternated one with another along the predetermined path, each comprising a given number of pockets **ordered at constant pitch** and associated respectively with the first belt and second belt; in that the transfer unit comprises means by which products are ejected from the pockets and transferred at predetermined intervals to the outfeed conveyor, and in that the movement of the first and second belts is governed by a control unit in such a way as to establish a predetermined phase relationship with the operating frequency of the ejection and transfer means.

Indeed, document WO 01/85581 A1 does not teach or suggest 1) a first belt and a second belt nor does it teach or suggest 2) a conveyor unit by which products are directed at constant pitch toward a user machine.

More particularly, document WO 01/85581 A1 discloses a collating and cartoning apparatus comprising a product infeed device for dispensing a succession of product units of sealed packages of product at a loading station. The product infeed device is arranged to deliver said packages to a servo-train system. The description of such document states clearly that "[s]aid *servo-train system (20) comprises two endless chains (21a, 21b) that are positioned adjacent and substantially parallel to each other, with each chain being mounted in a substantially*

vertical plane." See page 10, lines 11-13, emphasis added. Document WO 01/85581 A1 discloses an apparatus different from the one disclosed in present claim 1, since chains are different from belts.

Moreover, in its description, document WO 01/85581 A1 states that "[e]ach chain carries a respective servo-train (22a, 22b) comprising a plurality of buckets (24) that are spaced apart along the longitudinal axis of the chain." Page 10, lines 13-15. Each bucket is for receiving the products to be moved and "comprises a bottom wall (25), front and back walls (26, 27) and a plurality of internal dividers (28) to divide the interior of the bucket into a **plurality of compartments** that are spaced longitudinally from each other between said front and back walls and are dimensioned to accommodate fairly snugly the packages dispensed by the product infeed device (12). In the embodiment shown, two dividers are provided, dividing the bucket into three compartments, but only one divider or more than two dividers may be used **as required according to the number of packages to be placed in each carton**. In some embodiments, each bucket may be adapted to receive as many as 50, typically 10-20, product units." Page 10, line 18 through page 11, line 2, emphasis added.

In other words, the conveyor unit described in document WO 01/85581 A1 **does not direct the products with a constant pitch**. In the embodiment described, the products are moved three at a time so that the pitch separating each product is not the same for all products. For instance, the pitch separating the middle product of a group of three from an end product of the group is different than the pitch separating the end product of that group from the end product of the next adjacent group of three. This feature can also be seen in Figure 1 and, even more clearly, in Figure 2.

For these reasons, document WO 01/85581 A1 does not teach, suggest or otherwise render obvious independent claim 1 and it is respectfully requested that the rejections under document WO 01/85581 A1 be withdrawn.

Allowable subject matter

The Examiner has indicated that claims 2-3, 6-11 and 13-16, 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner has also indicated that claims 5, 12, 17, and 19 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office Action and to include all of the limitation of the base claim and any intervening claims.

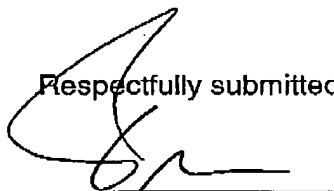
Applicant thanks the Examiner for such indications. New independent claims 20, 21, and 22 have been added. In particular, new claim 20 contains all of the limitations of claims 1 and 2, new claim 21 contains all of the limitation of claims 1 and 15, and new claim 22 contains all of the limitation of claims 1 and 16.

For these reasons, claims 20-22 are believed allowable.

Conclusion

All matters having been addressed above and in view of the pending claims and remarks, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims. Applicants' counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

Respectfully submitted,



Timothy J. Klima
Reg. No.: 34,852

Harbin King & Klima
500 Ninth Street SE
Washington, DC 20003
Ph: 202-543-6404
Fax: 202-543-6406